

**Posted Friday, May 9, 2008 at 2:29 p.m. CDT**

Mau began closing arguments by explaining the charge to the jury.

Mau reiterated the events as they unfolded, and said everything went fine until Valentine began to read Mays his rights.

“There is no reason to believe the defendant has any bad feelings or that there is any paranoia going on up until that time,” he said. “Randall Wayne Mays made a decision.”

Mau said there was no sudden snapping or change in attitude. He just decided to run.

Mau said Valentine gave Mays every opportunity to give up, even though Mays had a gun pointed at him and Valentine would have been within his rights to use force at that time.

Mau said Mays knew what he was doing when he picked up the rifle and began firing.

“He sets his sights on Tony Ogburn and shot him dead. He blew his head off,” he said. “When he is shot and can’t fight anymore, does he think the officers are there to kill him? No, he does not, because he gives up to the officers,” he said.

Mau pointed out that after Mays killed two of their officers, the other deputies took him into custody despite their emotions and feelings.

“What we have here in all essence is a defendant who does not want to go to jail,” he said.

Mau said the difference between Mays and the police is that he killed, and the police would not.

“When he asks in the tape, ‘What makes me the bad guy?’ This is what makes him a bad guy.”

Mims approached the jury, saying that he told them from the beginning that the truth is what he wanted to be told, and he believed that truth has been shown to the members of the panel.

“There are no excuses and no exceptions. There are only explanations,” he said.

Mims said, “We have nothing to offer you except for this explanation.” He continued by saying that Dr. Vail had been treating Mays for psychosis.

“What happened out there is a tragedy and has devastated many families,” he said. “I know what the verdict is going to be.”

Henderson County District Attorney Donna Bennett wrapped up the closing arguments by telling the jury to think about what happened.

“They tried to get him to come out. They tried to resolve this peacefully. They did everything they could. We are here today because of the choices that man made,” she said.

Bennett said he deliberately used the rifle’s scope to kill Ogburn.

“He was out to kill. There is nothing else that you have heard that this defendant committed capital murder. He is a cold blooded calculated killer,” she said. Bennett finished by saying, “You must find him guilty of capital murder.”